

Present: Chairperson Jensen; Vice Chair Ostrowski; Members: Borowski, Freedman, Peddie, Ruprich, Stempien and Westerlund

Absent: Abboud

Also Present: Assistant Manager/Clerk, Ellen Marshall
Planning consultant, Brian Borden

Chairperson Jensen called the meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

APPROVE/AMEND AGENDA

Motion by Westerlund, second by Ostrowski, to approve the agenda as published.

Motion passed (8 – 0).

PUBLIC COMMENTS

None

CONSIDER APPROVAL OF MINUTES OF A PLANNING BOARD MEETING HELD MAY 23, 2012

Motion by Stempien, second by Westerlund, that the minutes of a Planning Board meeting held May 23, 2012 be approved as submitted.

Motion passed (8 – 0).

PUBLIC HEARING ON ORDINANCE AMENDING CHAPTER 22.22.020 OF ZONING ORDINANCE TO ALLOW SEASONAL OUTDOOR DISPLAYS, STORAGE OF GOODS, AND TEMPORARY OUTSIDE SEATING THROUGH A PERMIT PROCESS

Chairperson Jensen declared the public hearing open at 7:34 pm. No one wished to be heard; therefore, the public hearing was closed at 7:34 pm.

REVIEW AND CONSIDER RECOMMENDATION TO COUNCIL OF ORDINANCE AMENDING CHAPTER 22.22.020 OF THE ZONING ORDINANCE TO ALLOW SEASONAL OUTDOOR DISPLAYS, STORAGE OF GOODS, AND TEMPORARY OUTSIDE SEATING THROUGH A PERMIT PROCESS

Planning Board members are in receipt of an updated version of the proposed ordinance amendments modified to incorporate changes discussed at the May meeting. Planning consultant Brian Borden reviewed the paragraphs containing the revised language with Board members.

One of the major changes in the ordinance was to address items such as ice chests, vending machines, and propane tank cages placed outside of retail businesses and filling stations. A new regulation would allow the Village to approve this with specifications. Changes in the new version include a paragraph to address exterior convenience items accessory to permitted uses; language to address exterior convenience items accessory to filling stations; rewritten paragraph to provide the administrative office with more discretion in application of the review criteria; wording to provide authority to forward to the Planning Board; incorporation of lighting

regulations for such uses; and a “catch-all” standard allowing consideration of any other important elements.

Board members discussed revised ordinance language. There was a consensus of the Board to make a change to Section 22.22.030 (b): The number of exterior convenience items allowed at filling stations after special approval should be changed from ‘3’ to ‘2’. There was discussion on the “Criteria for Approval” section, particularly with the language allowing the administrative office the authority to modify or waive the requirements if determined to be unnecessary and in the best interest of protecting the public health, safety and welfare. The ordinance language states that the administrative office has the authority to forward an application to the Planning Commission for its review and determination.

The suggestion was made that the Planning Board should receive a report from Administration whenever the Village Manager waives a requirement of the ordinance and approves an outside sale or display of products. This would be a matter of practice and would allow Board members to review and comment on the decision made by administration. There was agreement that a regular Planning Board agenda item would be “Administrative Comments and Permit Review”.

Motion by Westerlund, second by Ostrowski, that the Planning Board recommend Council approval of an Ordinance Amending Chapter 22.22.020 of the Zoning Ordinance to Allow Seasonal Outdoor Displays, Storage of Goods and Temporary Outside Seating through a permit process subject to a change to Section 22.22.030 (b) indicating that there could be up to ‘2’ and not ‘3’ exterior convenience items at filling stations subject to conditions. As part of standard practice, Administration will report to the Planning Commission on any permits or waivers indicating the permit process.

Motion passed.

PROGRESS REPORT FROM SOUTHFIELD ROAD OVERLAY DISTRICT SUBCOMMITTEE

Planning consultant Borden stated that modifications to the 3-D model being prepared by LSL Planning staff will incorporate what was heard at last month’s property owners workshop and discussed by the Board and subcommittee. The subcommittee will be meeting in the next couple of weeks to go through the 3-D model options and alternatives and consider refinements and modifications that reflect visual preferences to show how massing will appear. The model will then be presented to the Board, possibly at the July meeting.

Borden commented that the 3-D model must be refined before it is written into a form based code. The Board is on track with the overlay district code with the intent to have a draft ordinance ready for recommendations and approvals by August or September.

Westerlund proposed that the Board start thinking about a marketing strategy that could be put in place to present the overlay district to the public. People should be aware that the Village of Beverly Hills wants to bring new development into the business district. Borden recommended inviting the media outlets to a public session. Freedman suggested that urban planner Bob Gibbs be invited to a Planning Board session or public workshop and that his opinion be sought on the

3-D model. There was a consensus to request further participation from Mr. Gibbs in the overlay district project.

UPDATE FROM SIGN ORDINANCE SUBCOMMITTEE

An ad-hoc sign ordinance review subcommittee was established at the last meeting with Robert Stempien as chair. Stempien reported that he met with Manager Chris Wilson and Brian Borden to review and receive direction on a draft ordinance that represents a culmination of sign ordinance language from Beverly Hills, Hinsdale, Birmingham and Charlevoix. An attempt is being made to put together an ordinance that is simplistic and readable through a statement of intent, definitions, and graphics.

Stempien described work being done on the ordinance that would regulate permitted signs and identify prohibited signs. There are still areas that need to be defined and scrutinized. Input from the Village Attorney will be required for drafting the sections on political signage. Stempien mentioned that a draft is available for review by Planning Board members.

Subcommittee member Borowski stated that he read the draft and believed it will generate further discussion from the Board. It is a large project and an important first step in adopting a revised sign ordinance.

REVIEW AND CONSIDER MORATORIUM ON SIGN APPLICATIONS AND SITE PLANS

Board members are in receipt of a draft resolution declaring a moratorium pertaining to new site plan development on Southfield Road between Beverly Road and Thirteen Mile Road and a Village-wide moratorium on commercial signs within the Village of Beverly Hills. Freedman expressed the view that the Resolution is too wordy and volunteered to redraft the document. Board members concurred with preparing a more concise resolution for consideration at the next meeting.

PLANNING BOARD COMMENTS

Peddie thought that a moratorium on site plan review and signs in the business district was a great idea. Ruprich discussed scheduling for the next Southfield Road overlay district subcommittee meeting.

Jensen related a problem being experienced by a resident on Beverly Road. This individual's neighbor to the north uses an extremely loud leaf blower in his backyard pool area every morning and evening. The neighbor also set up speakers on the lot line.

Jensen was informed that the Village ordinances prohibit construction work or loud noise before 7 am and after 8 pm; the ordinance does not specify decibels. Peddie volunteered to review ordinances in neighboring communities to determine how they deal with excessive noise. She will copy ordinances on this topic for distribution at a future meeting.

ADMINISTRATION COMMENTS

None

PUBLIC COMMENTS

None

The meeting was adjourned at 8:45 pm.

David Jensen
Planning Board Chair

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary